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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,690	09/19/2001	James McCambridge	2206.65752	9754

7590

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EXAMINER

ALIE, GHASSEM

ART UNIT

PAPER NUMBER

3724

DATE MAILED: 04/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/955,690

Applicant(s)

MCCAMBRIDGE ET AL.

Examiner

Ghassem Alie

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 2/24/2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 7 is/are rejected.
- 7) ☒ Claim(s) 4-6 and 8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

*Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Cromonic (2,292,364). Regarding claim 1, Cromonic discloses a trimmer attachment 20,33 for a hair clipper as shown in Fig. 1. The trimmer attachment 20, 33 is defined by the cutting blade 20 and the cover 33 including the handle 40 and the fingers 44 which engage with the openings 36 of the cutting blade 20 for forward and backward movements of the cutting blade 20. The hair clipper includes a stationary blade 21 and a reciprocating blade 22. The attachment 20,33 includes a means 30<sup>2</sup> for securing the attachment 20,33 to the hair clipper, a movable trimmer blade 20 operable in response to movement of the reciprocating blade 22 of the hair clipper. The cutting blade 20 in association with movement of the single blade 22 cuts hair, therefore, the cutting blade 20 is operable in response to movement of the single blade 22. See Figs. 1, and 8-14 and page 2, second col. lines 1-75.

Regarding claim 2, Cromonic discloses a drive arm 33a, 40 at least partially surrounding the reciprocating blades 22 of the hair clipper. Cromonic also discloses a blade guide 39 operatively connected to the drive arm 33a, 40 and also secured to movable trimmer blade 20. See Fig. 11.

Regarding claim 3, Cromonic discloses a stationary trimmer blade 21 which

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Complements the movable trimmer blade 20 to cut hair.

Regarding claim 7, Cromonic discloses the hair clipper blades 21 and 22 have a first width and the movable trimmer blade 20 has a second width narrower than the first width. See Figs. 8-10.

*Note:* It is noted that the make up of claim 1 as set forth on lines 3-5 define the hair clipper and the trimmer attachment in combination. Therefore, the claims have been treated as combination claims. The combination is particularly evidenced in claim 2, lines 2-3.

#### ***Allowable Subject Matter***

3. Claims 4-6 and 8 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not teach a trimmer attachment including a base, a spring secured to the base over that blade guide, and a guide secured to the base as set forth in combination.

#### ***Response to Amendment***

4. Applicant's arguments filed 2/24/03 have been fully considered but they are not persuasive. With respect to applicant's arguments regarding claim 1, it is believed that the examiner has adequately rebutted them with the additional explanation in the rejection of claim 1.

Applicant's assertion that the reference (2,292,364) does not disclose the trimmer

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blade that is operable in response to movement of the reciprocating blade of the hair clipper is not correct. The trimmer blade 20 (a cutting blade) in combination with movement of reciprocating blade 22 (a single blade) cuts hair. Therefore, the trimmer blade 20 is operable in response to movement of the reciprocating blade 22. See Fig. 1 in Cromonic.

In fact, any regular shaving machine or hair clipper has a side trimmer blade operable in response to the hair reciprocating blade of the hair clipper or the shaving machine. For example, cited Ullmann's shaving apparatus has a side trimmer attachment 7 including a movable trimmer blade 9 which is operable in response to the movement of the reciprocating blade 19 of the hair clipper (a dry shaving apparatus shown in Fig. 1), because both the movable trimmer blade 9 of the side trimmer 7 and reciprocating blade 19 of the hair clipper have the same oscillatory member 5 driven by a motor 50. See Fig. 1 and col. 3, lines 15-40 in Ullmann.

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ullmann et al. (5,710,673) disclose a dry shaving apparatus with pivotally mounted long-hair trimmer.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not


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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ghassem Alie whose telephone number is (703) 305-4981. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan Shoap can be reached on (703) 305-1082. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9302 for regular communications and (703) 872-9302 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.

GA/ga

April 2, 2003

  
Allan N. Shoap  
Supervisory Patent Examiner  
Group 3700